

Claims 17 - 24 were rejected under 35 U.S.C. §251 for being improperly broadening in a reissue application. However, 35 U.S.C. §251 forbids granting of a reissue patent "enlarging the scope of the claims of the original patent *unless* applied for within two years from the grant of the original patent." (emphasis added). The filing date of the instant reissue application is September 8, 2000. The issue date of the original patent (U.S. Pat. No. 5,806,005) is September 8, 1998. A reissue application filed on the two-year anniversary date of the original patent is deemed to have been filed within two years of the issue date. M.P.E.P. §1403. Since the instant reissue application was filed on the two year anniversary of the original patent, it is earnestly believed that the rejected broadened claims are in fact proper under 35 U.S.C. §251.

Claim 18 was rejected under 35 U.S.C. §112, 1st Paragraph for allegedly claiming subject matter that was not supported in the specification. In particular, the electronic mail messages provided in MIME format was deemed to lack support in the specification. In response, it is respectfully noted that Fig. 1 shows MIME encoding in element 40 in the figure. The §112 rejection is therefore believed to be overcome.

Claims 17 - 24 were rejected under 35 U.S.C. §103 in view of Maurinus et al. (U.S. Pat. No. 5,606,365) and additional references. Claim 17 was rejected in view of Maurinus et al. and Krebs (U.S. Pat. No. 5,557,320). Claim 18 was rejected in view of Maurinus et al. and Murphy (U.S. Pat. No. 6,028,679). Claim 19 was rejected in view of Maurinus et al. and Slaughter, III et al. (U.S. Pat. No. 5,598,536). Claim 20 was rejected in view of Maurinus et al. and Hassan et al. (U.S. Pat. No. 5,550,646). Claim 21 was rejected in view of Maurinus et al. and Dennison et al. (U.S. Pat. No. 5,546,445). Claim 22 was rejected in view of Maurinus et al. and Dennison et al. Claim 23 was rejected in view of Maurinus et al. and Slaughter, III. Claim 24 was rejected in view of Maurinus et al. and Hassan. In response to these rejections, claims 17 and 21 have been amended.

The disposition of claims 14 - 16 has not been determined. However, it is earnestly believed that claims 14 - 16 as originally filed are patentable over the prior art.

Section 103 Rejection of Claims 17 and 21

Claims 17 and 21 have been amended to include a return link for receiving commands from a receiving station in communication with the image transfer system. None of the cited references disclose or suggest at least this aspect of the invention. For example, the primary reference of Maurinus does not show (in Fig. 2) a return path to its camera 10. Since the Maurinus camera is intended to be an inexpensive, mass consumer product, there is no suggestion to provide a return link from a remote station. Therefore, claims 17 and 21 are believed to be patentable over the cited references.

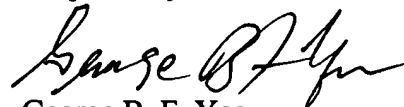
Claims 18 - 20 and 22 - 24, being dependent from claims 17 and 21, respectively, are believed to overcome the prior art for at least the same reasons as presented for their respective independent claims.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

Please amend claims 17 and 21 as follows:

1 17. (Amended) A portable image transfer system comprising:
2 a digital still camera, at a remote station, which captures one or more
3 images in digital form and stores the images in a camera memory;
4 a cellular telephone transmitter for communication with a receiving
5 station; **[and]**
6 a return link for receiving commands from the receiving station to the
7 CPU; and
8 a central processing unit (CPU) coupled to the camera memory and the
9 cellular telephone transmitter, the CPU being configured to control the camera memory
10 to produce output data representing the images formatted as one or more electronic mail
11 messages, the CPU further being configured to control the cellular telephone transmitter
12 to transmit the output data from the camera memory to the receiving station [, the CPU
13 **further being configured to reset the camera memory if the camera memory needs**
14 **additional capacity for storing further images].**

1 21. (Amended) A portable image transfer system comprising:
2 a digital still camera, at a remote station, which captures one or more
3 images in digital form and stores the images in a camera memory;
4 a cellular telephone transmitter for communication with a receiving
5 station;
6 circuitry to produce information relating to the location of the portable
7 image transfer system; **[and]**
8 a return link for receiving commands from the receiving station to the
9 CPU; and

10 a central processing unit (CPU) coupled to the camera memory, to the
11 circuitry, and to the cellular telephone transmitter, the CPU being configured to control
12 the camera memory to produce output data representing a combination of the images and
13 the location information, the CPU further being configured to control the cellular
14 telephone transmitter to transmit the output data from the camera memory to the
15 receiving station [, the CPU further being configured to reset the camera memory if
16 the camera memory needs additional capacity for storing further images].